

NEWSBULLETIN

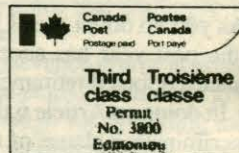
Volume 9, Number 6



December, 1985-January, 1986

Annual Meeting Calls for PWA Boycott

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Nurses at U.N.A.'s Annual Meeting held in Calgary on November 19, 20 and 21st voted overwhelmingly to support machinists, flight attendants and ticket handler's unions on strike against Pacific Western Airline. 291 delegates from over 80 locals gave

regardless of any legislation, U.N.A. members alone and not the government or any other body will decide when this Union will strike and when it will not."

As well, the meeting endorsed participation by U.N.A. in

The decision to support and boycott was based on the fact that PWA had demanded of its employees over 200 concessions following a year of record profits and is displaying union busting tactics in its demands to decrease time for Union activities and Union security provisions.

strong majority support to the PWA strike and called for a boycott by the membership of U.N.A. of all PWA services. The decision to support and boycott was based on the fact that PWA has demanded of its employees over 200 concessions following a year of record profits and is displaying union-busting tactics in its demands to decrease time for Union activities and Union security provisions.

In other business, U.N.A. delegates reconfirmed their opposition to compulsory arbitration. The delegates strongly endorsed the position previously advanced by U.N.A. that:

"U.N.A. is opposed to any compulsory arbitration. Re-

Employee Assistance Programs. These programs, a proposal about which is presently before the AHA in hospital negotiations, are designed with Union and Employer involvement to provide accessible, effective, professional and confidential assistance to employees who are experiencing difficulties with health, social and behavioral issues.

In further business, constitutional amendments were addressed by the delegates on such issues as the union dues structure and payment, discipline of U.N.A. members, trusteeship, responsibilities of the Executive Board and eligibility for Executive Board positions.

Policy resolutions regarding hiring within U.N.A. and the future Health Unit negotiating committee structure were also spoken to. Delegates publicly affirmed their support for the groups People Against Impaired Drivers and Research and Education on Impaired Driving (P.A.I.D./R.E.I.D.) in their efforts to have the laws regarding impaired drivers in this province reviewed and strengthened, and to increase public awareness of the dangers of impaired driving. In addition the recommendations of the Drewery Report were endorsed.

Reports from the standing committees of the U.N.A. Executive Board were heard including those from the Education, Editorial Steering and Membership Services Committees. As well, the Finance Committee Report was heard with delegates giving their approval to the revised budget for 1985 and that proposed for 1986. Reports from the Patient Classification Research Committee, Friends of Medicare Committee and Pensions Committee were also dealt with.

An update on the progress of Hospital Negotiations was provided by Margaret Ethier, President of U.N.A. on behalf of the Hospital Negotiating Committee. Marjorie Blair, Chairperson of the Health Unit Negotiating Committee gave an update on Health Unit negotiations and the strike of 7 of our health unit locals.



Delegates and the UNA Annual Meeting: VOTING, THINKING, TALKING!

As well the Vice President of the Union, Barbara Diepold addressed the assembly. In her presentation she took delegates on a trip down memory lane recalling that U.N.A. was formed to promote the economic and social advancement of nurses in the Province. She called U.N.A. an organization of member helping member and urged delegates to look to the constitution to determine what members can expect from the

union and what U.N.A. can in turn expect from its membership. Barbara was acclaimed for her second term as Vice-President at the meeting. In addition acclamations for representatives from the North Central District to the Executive Board were confirmed with elections being held for District Representatives from North, Central, South Central and South. The Executive Board at this time is comprised of:

Annual Meeting: President's Address



I've never been on strike for seven months, and neither have most people here today. But there are people in this room who have been on strike for seven months, nineteen days. Our members in the Health Unit Locals of: Wetoka, Minburn-Vermillion, Leduc-Strathcona, Vegreville, North-eastern and Big Country.

All of us have watched you. And each of us has wondered, "Would I?", "Could I?" We didn't have to make that decision. But we supported you in your decision. U.N.A. members in Hospitals, Nursing Homes, and V.O.N. are working and making steady contributions into that old kitty. Because we look after our own. A Nurse is a Nurse. Whether she works in the OR, community nursing, geriatrics, nursery, whatever. That's why this Union was formed: to provide group support to achieve proper working conditions and wages for Nurses in Alberta.

I haven't been on strike for seven months, but I have been in bargaining. And if a nurse is a nurse, an Employer is an Employer. They are all cut from the same cloth. Whether they are health unit employers, or hospital employers. They all have the same tired old lines. So I'm thinking of writing a book on them. I don't have the outline yet but I do have the title down pat. I'm calling it: "Some jerks I have known." They all want something for nothing. Well, there's no free lunch. If they want nurses to do the work, they better be prepared to pay for it.

Rather than pay up, they try these lines:

1. *Our proposals are just not consistent with the economic climate that we live in.* When there is inflation, they tell us that increases for nurses will only add to the inflation. When there is a recession, they tell us that increases for nurses will only prolong the recession. It's

kind of a catch 22 situation, and they keep hoping that the nurses won't catch on.

2. *Our proposals are way out of line with comparable working conditions and wages in the rest of the community.* Well, I don't think you can compare oranges and apples, so if they want to compare, let's have it all of the way down the line. No picking and choosing. But first they have to find a comparable group and I'm going to help them. I've drawn up a list of what kind of employees we are:

- Non-seasonal, inside work, with the tools supplied by the Employer, except for community nurses, who may be required to supply their own vehicles and business insurance in order to get to the work site of the employer.
- The majority of the group are shift workers, seven days a week.
- The majority of the workers are

Margaret Ethier
Barbra Diepold
M.T. Caughlin
Karin Pedersen
Diane Burlock
Heather Molloy
Gerry Cook
Carmelita Soliman
Gina Stanley
Lena Clarke
Debra Ransom
Sandra Rentz
Diane Miedema
Nora Spencer
Dale Fior
Glen Fraser
Karen Nelson
Laurie Coates
Lori Shymanski
Angela Bunting
Erwin Epp
Mary Kennes

President
Vice-President
Secretary-Treasurer
North District Representative
North District Representative
N.C.D. Representative
N.C.D. Representative
N.C.D. Representative
N.C.D. Representative
N.C.D. Representative
N.C.D. Representative
Central District Representative
Central District Representative
Central District Representative
S.C.D. Representative
S.C.D. Representative
S.C.D. Representative
S.C.D. Representative
S.C.D. Representative
South District Representative
South District Representative

The first meeting of the Executive Board will occur from December 10 - 13 with an orientation meeting on December 9, 1985.

**More about
Annual Meeting
on pages 4, 5**

Cont'd on page 4

Mandatory Retirement: Inroads Against Age Discrimination

As you no doubt recall U.N.A. in the past year has successfully challenged forced retirement at age 65. In doing so Article 6 the Anti-Discrimination clause of the Provincial Hospital Agreement was cited and argued before a Board of Arbitration established to determine the case. The Board dismissed the grievance claiming that the management rights clause of the agreement reserved to management the right to institute a compulsory retirement policy despite Article 6. Unsatisfied with this decision U.N.A. took the matter to court. The award was quashed by Judge Dea of the Alberta Court of Queen's Bench on the basis that the arbitration board had given a patently unreasonable interpretation of the collective agreement when it concluded that Article 6 merely prohibited the hospital discriminating amongst employees of the same age. To interpret Article 6 in this manner, said the court, was "outrageous" in that it permitted discrimination based on age and rendered the references to age in Article 6 "nugatory".

U.N.A. is not alone in being faced with the issue of forced retirement.

The British Columbia Supreme Court has granted an injunction ordering the Vancouver General Hospital to continue, until a trial of merits, the appointments of a

retirement which provides as follows:

"5.04 Retirement: Members of the Staff shall be expected to retire at the end of the appointment year in which they pass their 65th birthday. Members of the Staff who wish to defer their

We must be ever vigilant in our duty to obtain that which is important to us and to enforce that which we have.

number of doctors whose admitting privileges were withdrawn on the basis of age. In its decision, the court concluded that the doctors had a highly arguable case of age discrimination contrary to the Canadian Charter of Rights and Freedoms. In this case each of the petitioning doctors was over age 65 at the time of the application for injunction. Each of them had had his or her admitting privileges withdrawn by the Hospital which relied on section 5.04 of the Hospital's regulations dealing with

retirement may make special application to the Board. The Board shall request the Medical Advisory Committee for a recommendation in each such case. The Medical Advisory Committee shall, in making its recommendation, consider the report of a personal interview which shall take place between the applicant and the Department Head concerned which shall include a review of the health and continuing performance of the applicant."

The regulations were approved, as required, by the B.C. Minister of Health.

The doctors argued that their forced retirement was contrary to section 15 (1) of the charter which reads:

"15 (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and in particular without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

Section 15 came into force on April 17, 1985, three years after the Charter itself was enacted. Section 32 (1) of the Charter provides that the Charter applies "to the legislature and government of each province in respect of all matters within the authority of the legislation of each province."

In passing judgement, Judge McKenzie characterized the Hospital's rules as the exercise of delegated power from the government and held that the doctors had demonstrated that there was a serious question to be tried concerning the application of the Charter. Irreparable harm was also found to have been established. As a result the injunction was granted.

On another front, a teacher in the Winnipeg School Division No. 1, employed pursuant to a collective agreement between the Division and the Manitoba Teacher's Society objected to her forced retirement

at age 65. The teacher upon termination sought a declaration that the retirement provision of the collective agreement was in contravention of the Manitoba Human Rights Act. She succeeded at trial and in the Manitoba Court of Appeal. An appeal was then launched by the School Division to the Supreme Court of Canada.

The Supreme Court held that Section 50 of the Public Schools Act did not create an exception to the prohibition against age discrimination set out in section 6 of the Human Rights Act. The Court noted that human rights legislation, is of such a status that it cannot be altered, amended, or repealed, except by clear legislative pronouncement. In this case the court ruled that section 50 of the Act could not be said to be a sufficiently express indication of an intention to create an exception to the provisions of the Human Rights Act. In the result, the Supreme Court of Canada dismissed the School Board's appeal.

As you can see from these few cases the issues of forced retirement is squarely before the people of this country. The laws and regulations, the clauses of our collective agreements are clearly under scrutiny. We must be ever vigilant in our duty to obtain that which is important to us and to enforce that which we have.

Watch for the UNA Calendar to be available in January 1986



Letters to the Editor

The following letter was written to Members of U.N.A. Local #17. It is reprinted here with the permission of its authors because its text is applicable to all U.N.A. members.

At the present time it is important for U.N.A. members to take a look at their Union; to see where we are going both locally, provincially and to see also where we have been!

In the winter of 1977, nurses in this province began organizing into a trade union. In the summer of 1977 nurses went on strike. It took 2 strikes, in 1977 and 1980 just to get it guaranteed, in writing, that nurses would have the right to speak to hospital managements about our concerns for patient care. The P.R. Committee was born from these strikes and these committees have been a very effective tool in ensuring proper and safe conditions for both patients and nurses.

In 1977 the top rate for a nurse in Alberta was \$8.63 per hour. The wages did not go up because a benevolent government decided nurses were worth more. It was only after a bitter 23 day strike in 1980 that the government was forced to recognize that the nurses were serious in their demands for decent wages, week-end premiums, shift differential, on-call pay and scheduling posted well ahead so that we could have some control over our lives. We would do well to remember that nurses fought for these things which we take for granted. It took a great deal of effort on the part of the nurses of Alberta to achieve those benefits in just 8 years.

Now we must look at our Union locally. We have had a large turnover of nurses in the past year. Starting a new position creates stress, not only for the nurse starting but also for the established staff. It is not surprising that the Union has been neglected of late. Now we should take a look at where our priorities lie with respect to our future involvement.

Negotiations are beginning on a new contract. How well this contract succeeds in upgrading wages and working conditions should be a matter of great interest to all nurses. A Union is only as strong as its members make it!

The present Local Executive is concerned that there does not appear to be young, interested nurses grooming to take over in our positions. Ruby and I have been in the leadership positions long enough; it would be healthy for our Local to have interested nurses preparing

to take over these positions. We would like to pass on to the others the benefit of our experience. We do not pretend to have all the answers; there have been times when we have felt very inadequate. One of the biggest problems has been that members hesitate to bring their concerns as soon as they happen, not realizing that there is a time limit in which problems must be handled.

We would like to keep all members informed of the progress being made during negotiations. We do not know how best to do this and we would appreciate your input. For the phone fan-out to work members must be responsible to phone the message to the next member on the list. If even one member fails to pass the message the chain of communication is broken. What do you suggest?

The Annual Meeting takes place on November 19, 20 and 21 in Calgary. If interested in going, contact the Exec and we shall try to arrange funding. U.N.A. workshops are presented throughout the North. Local members are encouraged to get involved. These workshops are a necessary learning experience for nurses and Local Executives. They are also enjoyable and a good opportunity to get to know other nurses in the North and from provincial office.

It is not possible to have much interest in an organization that you do not understand. If you want to see how your dues are being spent, come to the meetings, ask questions, pay attention! You will be glad you did.

Ruby Gorin, President
Helen Strang, Secretary-Treasurer
U.N.A. Local #17, High Prairie
General Hospital

Editor of the Newsbulletin

I recently had a copy of your August-September 1985 passed on to me by a 1937 Grad of the Edmonton General Hospital.

I attended my 5th Anniversary in June in Edmonton. Would it be possible for me to obtain another three copies of this issue?

I would like to pass them on to other members of my class. I shall forward the cost by return mail. Thank you.

Yours truly,
Louise C. Chausse

* Note: Copies as requested were forwarded to Ms. Chausse at no cost.

FIGHTBACK

Central Park Lodge Negotiations: Success before the L.R.B.

by Chris Rawson

On November 28, 1985 UNA won an important decision out of the Calgary Labour Relations Board.

The hearing over an unfair labour practice complaint filed by U.N.A. against Central Park Lodges in Calgary, Grande Prairie and Medicine Hat was held on November 22, 1985. The issue was the refusal by the employer to negotiate with U.N.A.'s bargaining committee as structured by U.N.A.

U.N.A. has 3 CPL Locals, #107, #111 and #137. When notice to bargain was served, the locals indicated their desire to enter into group bargaining. At the same time they gave notice to the employer of the structure of their bargaining committee, that being, comprised of 1 representative from each Local and E.R.O., Marilyn Vavasour. The employer's representatives in bargaining refused to bargain on a group basis. This decision was accepted by U.N.A. as being within their right to do. As a result negotiations were scheduled to occur for Calgary and Grande Prairie jointly as one round of bargaining and Medicine Hat as a separate round.

U.N.A.'s bargaining committee continued as originally structured. The employer's took offence to this action on our part, refusing to begin bargaining on behalf of the Calgary-Grande Prairie Lodges while a member from the "outside" was present. This same position was taken in respect to Medicine Hat. In conjunction with this refusal the employer also denied leaves of absences to U.N.A. negotiating committee members in an effort to effect their wishes to have U.N.A.'s bargaining committee restructured.

Before the Board, U.N.A. advanced the position that these actions on the part of the 3 Central Park Lodges was contrary to Section 6 of the Labour Relations Act.

The Labour Relations Board found in our favour. The Board stated that "it is clear . . . that the employers are attempting to dictate the structure of the Local's bargaining committee and will not negotiate until the Locals capitulate". In commenting further the Board stated that "the make up of the Local's bargaining committee . . . should not be the concern of the employers unless there is a legitimate reason to question same." The Board found that

"there is absolutely no reason for the Lodges to refuse to bargain" as a result of the Union's bargaining committee structure. They concluded that the actions of the 3 Lodges were contrary to S. 139 (a) of the Act. They further found that the refusal by the employers to grant leaves of absences to negotiating committee members in an attempt to achieve their goal of restructuring our committee was a failure to comply with S.137 (1) (a) of the Act.

As a result of their conclusion on the evidence presented, the Board issued cease and desist orders and directed the 3 Central Park Lodges to bargain in good faith and make every reasonable effort to enter into a collective agreement.

Claresholm: Layoff and Seniority

by Michael Mearns

At a southern Alberta Hospital management was directed to cut 2.5 full time equivalent nursing positions. This direction came following a visit by officials from the Department of Hospitals and Medical Care. Management set about making the cuts by laying off the two full time nurses at the bottom of the seniority list, the list contemplated in the new Article 12 where seniority starts at the date of hire for all regular and temporary employees. So far so good. But then in order to achieve the .5 cut the employer jumped up the

seniority list and laid off the first part time employee whose hours matched the .5 amount.

As a result the part time employee transformed into a grievor since she was laid off outside the reverse order of seniority [Hospital Collective Agreement Article 15.02 (a)]. The Union position is that the employer was obliged to cut the third lowest seniority rated employee's hours to the extent required, namely .5. This was possible since that employee was full time.

The grievance is now at arbitration. The employer must be given a star though for providing more than the required 14 days notice of layoff to the employee concerned.

Swan Hills nurses join UNA

by Trudy Richardson

Nurses employed at the new Swan Hills Hospital have recently obtained membership in U.N.A. The Hospital has come under the jurisdiction of the Barrhead General Hospital and Nursing Home District #67. Nurses employed at Barrhead General Hospital are members of U.N.A. Local #136. Their President, Judy Hove with the move to administer the Swan Hills Hospital sought voluntary recognition for the nurses employed there. She provided to them an orientation about U.N.A. and signed up a majority of nurses in this locale. In doing so, she utilized the opportunity to review the list of new hires and dues payers at the Barrhead Hospital. Along with signing up the Swan Hills nurses Judy obtained 10 new members in Barrhead for a total of 20 new members for Local #136. For a job well done Congratulations!

**Need advice on
disciplinary
matters,
registration
difficulties or
fatality
inquiries?
CALL UNA.
1-800-252-9394**

NEXT NEWSBULLETIN

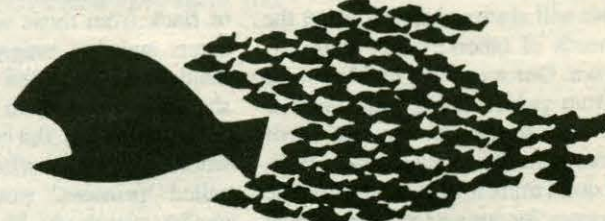
Deadline for receiving articles, letters, pictures for publication in the next *Newsbulletin* is February 3, 1986.

Send to: The Editor, *Newsbulletin*
Suite 760, Principal Plaza,
10303 - Jasper Avenue,
Edmonton, Alberta T5J 3N6.

The way it looks in the local



If we remain divided, management will pick us off one at a time . . .



But if we stick together, we can really turn things around.

President's Address: Continued from page 1

- the same sex.
- No on the job training is required, except for maintenance of skills, and new knowledge, and equipment required by the Employer. Education and qualifications are obtained by the employee prior to hiring.
 - High level of responsibility expected of the employee, including the ability to work with little direct supervision.
 - Employed in an expanding industry in Alberta with a low number of applicants for a high number of jobs.
 - Adequate financial resources available to the employer to meet the employees monetary demands.
 - Work is deemed to be so essential that legal means are seen as necessary to prevent any work stoppage by the employees.
- employers job to round up the funding.
- It's about time they started doing their job. They're always talking about management rights. What about management's responsibility? There seems to be plenty of money there, but they've been spending it on fancy furniture, equipment and shiny new hospitals. But they don't have to do their jobs, if they can find the money from our pockets. And nurses, of course, are very understanding about that.
- Health Unit nurse's wages used to be higher than hospital nurse's. But over the last few years they have been very understanding of the government funding problems; and now they are on strike just to catch up to hospital nurses.
- Hospital nurses have been very understanding too. Hospital nurses in the last contract agreed to no

It's kind of a Catch-22 situation and they keep hoping that the nurses' won't catch on.

- Double controls regarding performance and conduct of the employees. They must meet the expectations not only of the employer, but also of an outside licensing body. Performance or conduct at work may result in a loss of license and the right to work.
- Agreement for the employer to use part-time workers, therefore the employer does not have to overstaff to meet peak periods of work, absence of employees due to illness, vacation, etc.
- The majority of the workers require uniforms, as defined by the employer, but paid for by the employee.
- Work assignments may be seen as undesirable or dangerous by the norm of workers in the community.
- Excellent physical and mental ability is required of the employees.

Well, that's who we are. After I made that list, I felt like going out and jacking up all of our proposals. I think they're lucky to get nurses to work for them. No matter how much they have to pay us.

Well, they know that too. They may be jerks but they aren't stupid. So rather than paying us what we're worth, they try to convince us to take other forms of compensation. The majority of nurses are women, and women have often avoided conflict at any cost. In doing so we have lost power, respect and the money we deserved, but we may have ensured that other people liked us. I don't know why we found it so important to be liked. It would be important to be liked by your spouse, or even more so by your lover, but why would it be so necessary to be liked by all of the people in the world. But we have accepted that as part of our compensation package and employers have learned to rely on it.

We are also employees in a helping profession. So the employers rely on our concern for others, that we will always choose to meet the needs of others, rather than our own. Our wages and benefits come from public funds, and there is always somebody else that needs those funds more than nurses. Well, I don't think it's our job to find the money for our wages. Our job is to provide care to the patients. It's the

monetary increases, except for 45 cents an hour in 1985. We gave the government a break. What break did they give us? The Alberta government increased taxes by 13% and later on the Minister of Hospitals announced that hospital budgets were doing very well and in fact there was a surplus that year. Well, every nurse I talked to knew where that money came from. We didn't even receive a thank you note. Are they making it up to us this year? 1% they say. Well, I don't like percentages, because you can't use percentages at the checkout counter. Maybe when our wages are up to \$100.00 an hour I would look kindly on a 1% increase. But 1% translates to 15 cents at the top rate, and 15¢ is not going to buy very many bananas.

3. They tell us that the public won't support us, or may not like us, if we ask for more. Now that's so obvious, you'd think they wouldn't have to tell us. After all, our strikes interrupt the service the public is already paying for, and if we get a raise it comes from the public purse. I know some nurses have thought that the public should support us because when the public becomes our patients, the benefits we receive will mean better care for them. But you have to remember that health care consumers are no different than any other consumers. They want the best possible product or service for the cheapest possible prices. And unfortunately, for many years nurses have led them to believe that they can have just that.

I've always thought it was offensive anyway to expect somebody else to fight your battles for you. To wait for some prince to come to the rescue. We know that Cinderella has to go out in the elements and find her own shoe. We've been out in various elements, picketing in bikinis, and picketing in skidoo-suits. Simply waiting around for the prince has its drawbacks too. If you recall, Cinderella had to take a lot of flack from those wicked step-sisters and was assigned scullery maid duties. I've often wondered if she still ended up with those duties in her new house. But of course that would have been offset by being called "princess," wouldn't it? Or maybe everybody liked her. Or maybe she thought of herself as a

"professional" and all of that was enough compensation for her.

We've often thought of ourselves as professional. But we are a special kind of professional. We have all of the obligations of a professional, with few of the benefits—including respect and money. We don't get to pick our own clients and set our own fees. If we picked our own clients, I could think of a few clients I wouldn't have picked. And if we set our own fees, I imagine we'd all be in the Caribbean today; not Calgary.

It's not easy being on strike. Whether it's a strike of over 7 months, with good press and public support. Or a three week strike, with bad press, and the people call-

ing you "baby killers." Or an illegal strike. Or a strike like other workers. Where they call the police on you. Beat you over the head with sticks. Run you down. And kill you. On the picket lines.

We either go on strike and stay on strike until we get what we can live with, or we don't go on strike and we live with what we've got. First we have to decide. What's important to us? What compensation are we prepared to accept? What are we prepared to do to get it? And are we prepared to live with the results of our decision?

You learn a lot about yourself and other people when you're on strike. You learn who you can count on. Health Unit Nurses are learning

what Hospital Nurses found out. Nobody is going to do it for us. And nobody should do it for us. Not your friendly M.L.A., the kindly employer, good press or public support. Because their interest is not the same as ours. There's not going to be any Prince to the rescue. That was only a fairy tale anyway. Whatever we win, whatever we lose, will be a result of our own efforts and the solidarity of the membership. Always has been. Always will be.

Maybe we'll be called militant. We've been called that before. But if militant means standing up and fighting for what you believe in—instead of being treated like a door mat, I'll take militant any time.



Chris Rawson

It's with pleasure that I take this opportunity to submit this report to U.N.A.'s 1985 Annual Meeting. In preparing it, I must say that I am impressed and take pride in the vast amount and the scope of the work that this Union does. It's a feeling that I hope you too enjoy.

Since the report of last year's Annual Meeting, there have been 288 grievances filed. Of them 211 have been filed in 1985 up to November 4th. For many the issues raised have been resolved satisfactorily during the first stages of the process. In fact 54% or 113 grievances have been resolved prior to arbitration. Of the remaining grievances 42 are presently at arbitration. Some of these have been heard and we are awaiting decisions. Others are waiting to be heard. Fifty-six (56) grievances continue to be working their way through the procedure. Our success rate at arbitration varies—we win some, we lose some. But more often than not, U.N.A. wins. And just in case you haven't to this point appreciated the volume of grievances being handled from November 4th alone, 19 grievances have been filed. That's 1+/-working day. At this very moment a grievance is likely being filed by one of our bargaining unit members.

But U.N.A. does more than just process grievances.

Acting Executive Director Report to the Annual Meeting

their status as professionals. Under the professional responsibility clause of the hospital agreement, members are beginning to have a real voice in the delivery of health care in this province. Forty-four (44) professional responsibility forms have been filed this year. The issues have ranged from inadequate staffing, poor inservice through to issues of improper equipment and facilities for the provision of health care services.

Did you know that U.N.A. has distributed 34,750 newsbulletins this year? Or that a grievance bulletin has been introduced and is being distributed to 250 members with each printing. It's through these publications that the bulk of U.N.A. members learn of the Union's activities. Learn of grievances that have been resolved, educationals that are to be held and the outcome of meetings such as this one here.

U.N.A. has an extensive list of educationals available to its membership. From Local Administration I to Health & Safety II, U.N.A. provides courses which offer members an opportunity to learn, gain the necessary skills to assert their rights and socialize amongst each other. During the past year 48 workshops for a total of 57 days have been presented. The workshops have attracted over

are a feisty group of people who just will not go away. Much to the consternation of H.U.A.A. and more importantly the government. This round of collective bargaining has been exceedingly painful.

Up against brick walls and surviving. Up against brick walls and learning.

It cannot, and no doubt will not, be forgotten for a long time. If nothing else, we've all learned that "in unity there is strength, but that before there is real strength, strength that has force and effect, there must be real unity." In addition to this lesson, health unit nurses have gained intimate knowledge of the process of collective bargaining and that public support does not always translate into political pressure. They have come to further know their Union, its policies and the support available through it.

U.N.A. is in the process of change and in effecting changes for its membership and society. Those changes are directed by the membership. But in making them the membership is not alone. The staff of U.N.A. are a dedicated and hard-working group who support you in your efforts and who are available to you for counselling or advice. This report would not be complete without acknowledging the high level contribution of the secretarial and administrative component and the labour relations/education component of U.N.A. What has been an exceptional year for you has been an exceptional year for them too, and they look forward as you do to the challenges ahead.

UNA members are prepared to enforce their rights under a collective agreement before the courts and under federal or provincial legislation.

Services have been provided to U.N.A. members in relation to:

- 3 Unemployment Insurance Appeals
- 5 Workers Compensation Appeals
- 1 Employment Standards Complaint
- 1 Court Hearing
- 1 City of Calgary Employees Benefit Society Appeal
- 5 Labour Relations Board Determination Hearings
- 5 A.A.R.N. Disciplinary Hearings, and
- 1 Fatality Inquiry

U.N.A. members are prepared to enforce their rights under a collective agreement, before the courts and under federal or provincial legislation.

As well, they are prepared to speak up about issues that affect

730 members. In 1986 the plans for education appear to be even greater.

We have experienced in U.N.A. a steady increase in the growth of the organization. Over the past year new members have been acquired through the organization of six new locals and the consolidation of two. Growth in numbers is not the only type of growth to have taken place.

The membership of U.N.A. in my estimation has matured. It's run up against brick walls and survived. It's been up against brick walls and learned from the experience. There is no better evidence of this than the health unit nurses who now in their eighth month of strike action must be commended for their efforts. They

Annual Meeting Continued

In addition to the 291 delegates to the 1985 Annual Meeting, observers and guest were also in attendance. Observers included members of U.N.A. locals and staff from Provincial Office. Our list of guests included Sheila Greckol, U.N.A.'s lawyer, Flodia Belter, registered parliamentarian, Peggy Malone, President and Chief Executive Officer of the Newfoundland and Labrador Nurses Union, Rose Briscoe, President of the Ontario Nurses Association, Madeleine Parent, founding member of the Confederation of Canadian Unions, Dave Werlin, President of the Alberta Federation of Labour and Merle Schnee from the Edmonton Local #209 of the International Association of Firefighters.

The guests made their presence felt by participating in discussions with U.N.A. members during breaks, and meal periods and by addressing the assembly on the 2nd day of the Meeting. In doing so they brought to U.N.A. information relating to their own organizations and advice on issues presently facing unions and the Canadian public as a whole such as talks on "free trade".

Rose and Peggy outlined the structure of their Unions and the status of collective bargaining. O.N.A. represents 43,000 members in 225 locals. Of these, 2,500 members are employed in 38 public health units across the province. Public health nurses in Ontario are in a similar position to those employed in public health in Alberta. Wages there are 16% behind those paid to hospital nurses. Two health unit locals are currently locked out. One has recently settled for a 5.5% wage increase after a 5 1/2 month strike. In the past while, only 1 public health local has been able to close the wage gap. As here, politicians regard preventative community health services as the lowest priority on the totem pole.

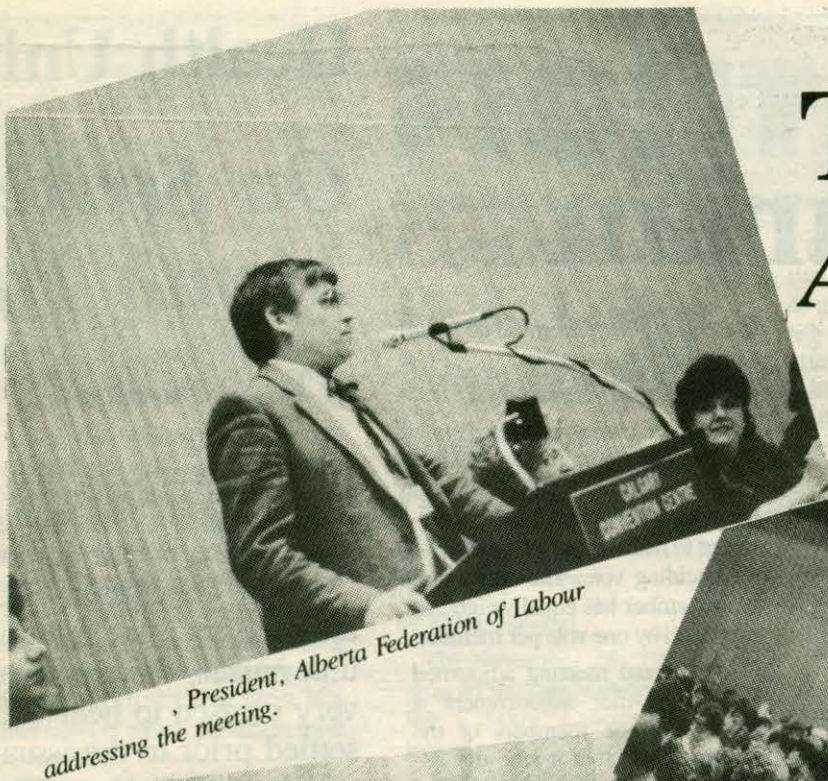
Peggy characterized the current state of collective bargaining on behalf of her members as "collective begging." Nurses have suffered a 2 year wage freeze and are currently being offered 4%. They are faced with Bill 59, an act of the government which declares them to be "essential" and wrests from them the legal right to strike. Peggy spoke of the severe cutbacks in health care and outlined for U.N.A. members the strategy that her membership intends to take in this regard.

Merle, brought greetings from the Edmonton Firefighters. A friend to U.N.A. in the past and heavily involved in issues before the labour movement in Alberta, Merle pledged his continued support to the membership of U.N.A.

Madeleine and Dave both spoke of "free trade". Their speeches complimented each others. Madeleine's fiery and energizing as always, Dave's low-keyed but expressing the same thoughts, outlining the problems succinctly, and urging U.N.A. members to think seriously of the consequences of this initiative and speak out against it.

The guests at this year's annual meeting all had very thought provoking comments. Their presence and input was greatly appreciated. U.N.A. looks forward to their company again.

The Meeting: A Pictorial Report



President, Alberta Federation of Labour addressing the meeting.



Dale Fior, Chairperson of the Hospital's Negotiating Committee.



Rose Briscoe (L), President, Ontario Nurses Association; Peggy Malone, President and Chief Executive Officer, Newfoundland & Labrador Nurses Union.



Heather Smith, President Local #79, Edmonton General Hospital addressing the Assembly.



Delegates Barb Evans & Vicki Boechler from the Edmonton VON Local #60.



Delegates to the Annual Meeting from Local #11, Misericordia Hospital.

Ask the Parliamentarian

You are invited to telephone or mail your questions to
Flodia F. Belter
Registered Procedural
Parliamentarian
9728 - 82 Avenue
Edmonton, Alberta
T6E 1Y5
Telephone 439-5703 or 439-1327

Filling Blanks

Amendments proposed for the purpose of filling blanks are not treated in exactly the same manner as ordinary amendments since different members of the assembly may propose several names or numbers to fill the blank. Of course, no one member may propose more than one name or number unless by general consent. Any number of names or numbers may be proposed without a second.

For example, suppose the motion is before the assembly to authorize the refreshment committee to spend "blank" amount of money. Several members propose amounts of money—ten dollars, fifteen dollars, twenty-five dollars. All these amounts are proposed as suggestions not as amendments. In this case the presiding officer would start the vote with the highest amount (twenty-five) dollars. If this amount did not receive a majority vote, he would then proceed to twenty dollars and so on down until he reached an amount that would be approved by the majority of the assembly. On the other hand, suppose the club decided to sell the club house and the "blank" to be filled in was to determine how many would be willing to sell for the lowest amount. To determine how many would be willing to sell for that price the presiding officer would conduct a vote on each successively higher amount until he reached the amount where the majority would be willing to sell. Thus in the case of filling the blank with numbers, the vote is started at one end of the scale (either the lowest

or highest depending on which is least likely to receive a majority) and proceeds on up or down until a majority is reached. It is a good general rule to start with the largest sum and proceed downward.

In the case of filling the blank with a date, it is wise to start with the most distant and proceed toward the present.

When the blank is to be filled with a time, the chair usually starts with the longest.

A good basic rule for the chairman to follow is always to begin with the item least likely to be adopted and to proceed until one item receives a majority vote. That item then is used to fill the blank.

Ordinarily, blanks should be filled before the main motion or the resolution is voted upon, but if it is obvious that the main motion is opposed by a large majority, the call to close debate and take the vote may be called before the blank is filled. This would force a vote on the main motion before the blank has been filled.

Incidental Motions have no order of precedence among themselves. Any one of them may be proposed whenever a situation arises that requires it.

Rise To A Point of Order

Is a call of order, whose purpose is to enforce the rules of order, bylaws, constitution, etc. of the assembly. If members fail to raise points of order, they lose the right to criticize the chair for not enforcing order.

Appeal From the Decision of the Chair

An appeal is a motion whose purpose is to reverse the ruling of the chair. An appeal must be made at the time the decision of the chair is made. If any business intervenes or even debate, it is too late to appeal. Members have no right to criticize the chair's rulings unless they appeal from his decision to that of the assembly. The chair should welcome appeals because it takes

the responsibility from his decision to that of the assembly.

Question and Answers

Q. Can the chair vote twice?

A. The chair cannot vote twice - Once as a member, then again in his capacity as presiding officer - First to make a tie and then to cast the deciding vote. The opinion of each member has equal weight, as expressed by one vote per member.

Q. An annual meeting adjourned sine die. After adjournment a number of the members of the society found that a sine die adjournment defeated the purpose they had in view, and they rallied enough members together to form a quorum in accordance with the bylaws and adopted certain measures that were to be taken by the Executive Board. Was the action legal?

A. No. The sine die adjournment of the annual meeting ended the meeting, and the reconvening of the meeting afterward was illegal, and all action taken at the illegal meeting is null and void. If such proceedings were allowed, the friends of a measure that could not be adopted in the regular meeting could agree to linger after adjournment and then reconvene the meeting, in which they would have a majority, and adopt their resolution.

Q. Does a resolution previously adopted, permanent or otherwise, become null and void by a revision of the bylaws or constitution?

A. No, unless it conflicts with the revised bylaws or constitution.

Q. Can a member move "that two-thirds vote shall be necessary for the adoption of this motion?" Could a majority vote on this incidental motion bind the meeting?

A. Yes, a two-thirds vote is required for the adoption of the motion, which practically suspends the rules related to voting.

(An important matter relating to actions of consequence, e.g. unusual purchase, embracing a cause outside of the organization, etc.)

Health Unit Members: On Strike—Another Month Passes

by David Thomson

On November 13 the U.N.A. charges of bargaining in bad faith against the H.U.A.A. were heard by the Labour Relations Board.

At the conclusion of the very lengthy hearing, attended by a large number of striking health unit nurses, the chairman stated that he would be very pleased to hear that the issues had been settled prior to the issuance of an award with which neither party would be happy. The U.N.A. health unit negotiating committee met following the hearing and subsequently made a recommendation to the membership that U.N.A. offer to settle the outstanding issues through mediation. This proposal was approved by the membership and was subsequently advanced to George Zaharia. He rejected it without, to our knowledge, consulting with his committee. The offer has since been sent directly to the Health Unit Boards, the Minister of Social Services and to Mr. Zaharia.

On November 28 the L.R.B. decision was released and as was stated, it probably won't satisfy either party.

The award provides that agreement on previously settled issues doesn't necessarily mean you can't change them later. The Board states "In our view the change to Article 1.01, and the consequential change to Article 8.05 (e), in the draft collective agreement presented by the Units on October 30, from that shown in earlier listings of agreed clauses, does not constitute a breach of the duty to bargain in good faith set forth in section 139." It would appear that it is now permissible to renege on previously settled terms during bargaining in Alberta.

The Board then turned its attention to the Memorandum of Settlement and took the H.U.A.A. to task. The Board acknowledged that there are two principles which such memorandums must follow. First they "cannot amend those substantive provisions of the collective agreement which have already been addressed and agreed upon." Secondly it "ought not to repeat matters already dealt with in the collective agreement lest it introduce ambiguity and confusion." The Board went on to address the specifics of the memorandum and said that "we have observed in one or two instances where portions of this particular agreement may vary from what we consider appropriate."

The Board further reprimanded the H.U.A.A. for its "clear the table" bargaining theory saying "such restarting should be confined to specific issues which were not earlier agreed upon."

The Board concludes by recommending the parties meet to continue their bargaining, keeping in mind the contents of the award.

Together with our offer to submit the dispute to mediation and the issuance of the L.R.B. award, the U.N.A. negotiating committee expects a response from the H.U.A.A. soon. In the meantime the strike by U.N.A. members in health units across the province continues.

Latest Monthly Statistics as of November 15, 1985

Source: Statistics Canada — Informat Weekly Bulletin

| | Current Month | Previous Month | % Change From Year Ago |
|---|------------------|-------------------|------------------------------|
| EMPLOYMENT, INCOME | | | |
| Average Weekly Earnings (\$) | 419.58 | 419.84 | 3.5 |
| Labour Income (\$ million) | 21,034.9 | 6.9 | |
| Persons with Jobs (million) | 11.48 | 11.47 | -8.0 |
| PRICES | | | |
| Consumer Price Index (1981=100) | 128.0 | 127.8 | 4.1 |
| New House Price Index (1981=100) | 96.9 | 96.4 | 2.2 |
| Raw Materials Price Index (1977=100) | 216.3 | 216.1 | 1.4 |
| Excl. coal, crude oil, nat. gas | 152.5 | 152.8 | -2.6 |
| Industry Selling Price Index (1971=100) | 319.5 | 318.8 | 2.3 |
| CONSTRUCTION | | | |
| Building Permits (\$ million) | 1,915.1 | 12,432.9 | 21.8 |
| Housing Starts - Urban Centres (units) | 13,265. | 99,043. | 17.1 |
| SALES | | | |
| Department Store Sales (\$ million) | 964.8 | 7,828.9 | 5.0 |
| Manufacturers' Shipments (\$ million) | 20,089.6 | 158,685.8 | 6.5 |
| New Motor Vehicle Sales (\$ million) | 1,454.7 | 14,856.2 | 25.8 |
| Retail Sales (\$ million) | 11,133.4 | 81,872.8 | 10.2 |

NOTE: Statistics are in current dollars and are not seasonally adjusted.

THE STRIKE CONTINUES!

Note to all UNA Members:

The following employers have UNA Locals on strike:

Calgary VON

Big Country Health Unit

City of Lethbridge Health Unit

Minburn-Vermillion Health Unit

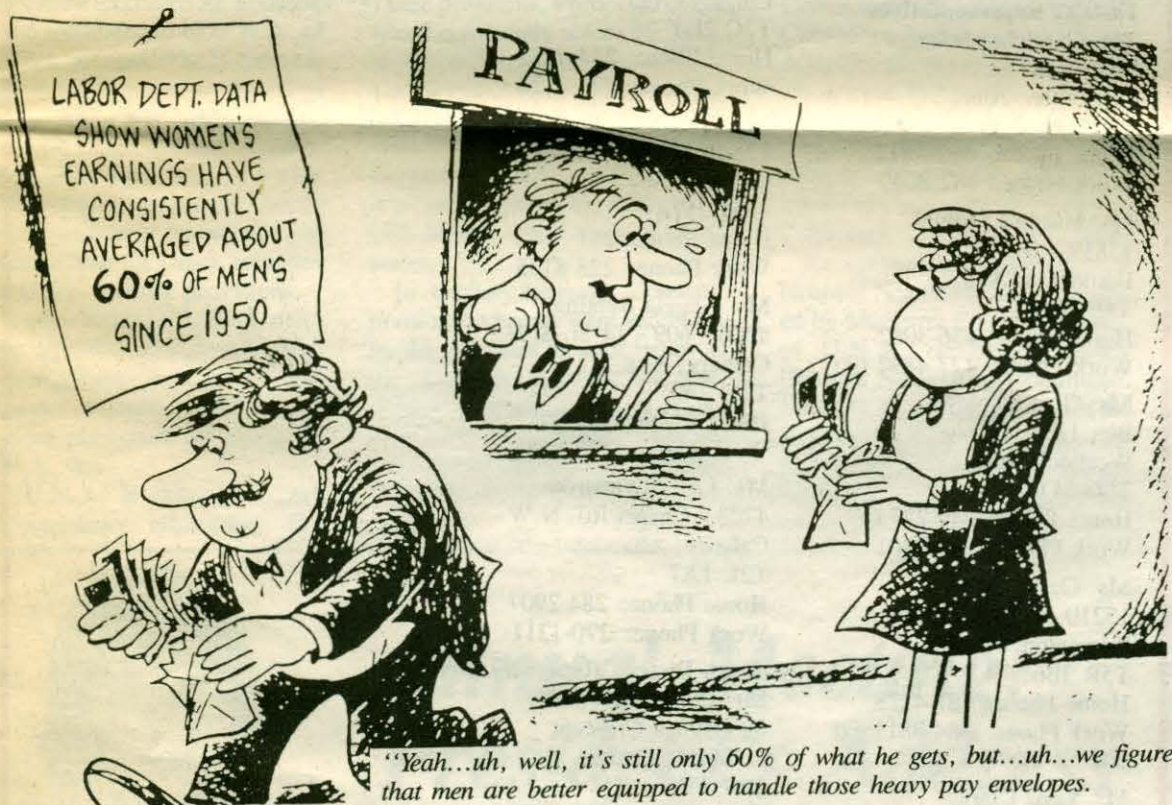
North-East Alberta Health Unit

Vegreville Health Unit

Wetoka Health Unit

No nurse should consider applying for employment at any of the above listed agencies until strike action has been concluded. In addition UNA members are reminded of the Executive Board policy endorsed by the 1981 Annual Meeting that "in the event of a UNA approved legal Local strike, Locals within the District will actively support the strikers, if requested, by organizing a roster for picketing purposes. Members of the non-strike Local will fulfill their obligations by picketing as posted."

For further information contact UNA Provincial Office at 425-1025 or 1-800-252-9394.



Two new Locals organized

by Nao Fernando

Organizing efforts at St. Michael's Nursing Home in Edmonton and Mannville Municipal Hospital, Mannville were successful when a majority of nurses in each hospital signed cards to be members of U.N.A. through chartered Locals 150 and 151.

St. Michael's Nursing Home Local 150 has already been certified as a bargaining agent by the Labour Relations Board. The certification process for the Mannville Hospital Local 151 is expected to be completed shortly.

Nurses at these two facilities had numerous problems with their employers with regard to their terms and conditions of employment. They finally decided that the best recourse open to them was to

join U.N.A.

The nurses had heard and seen for themselves the high level of service afforded to U.N.A. members by their Union and their expression of faith in U.N.A. was a direct result of that service. Besides attempting to resolve their disputes through a Collective

Agreement, nurses in these two institutions have also expressed their solidarity with the thousands of nurses in other institutions who belong to U.N.A. and who are under attack by their employers and the government.

U.N.A. welcomes these new members into its ranks.

**Calling UNA Office
From outside
Edmonton
Call 1-800-252-9394**

NURSES

Action now on staffing

Action now on staffing — That was the message . . . loud and clear from SUN members who attended the Fall Bargaining Conference in Saskatoon on October 16 and 17. Nurses enthusiastically endorsed proposals and a program designed to guarantee nursing staffing according to patient needs.

Attended by 590 members the meeting was the largest in SUN's history, with 1 nurse present for every 10 SUN members in the province. Also in attendance were Susan Nelles of Ontario and Margaret Ethier, president of United Nurses of Alberta.

SUN members present heard documented evidence of the erosion of safe and proper care. Results of figures from the patient classification systems in effect at 5 major hospitals demonstrated that understaffing is widespread and chronic. The evidence showed that understaffing on some shifts was as severe as 49.35% below the staffing required by the patient classification system on day, 27.94% below requirements on evening shift, and 45% short on night shift. The average of all sixteen wards surveyed showed that staffing on all 3 shifts was 13.29% below patient requirements, with 1,115 person/shifts below professional standards.

In patient care terms this translates into 8926 hours of nursing care that patients required but did not receive.

During the conference SUN members learned that 302 incidents have been documented to date, and that if institutions fail to respond to recommendations outlined in the documentation, this lack of progress will be communicated to the Minister of Health and to the public.

Conference participants designated staffing as "SUN's top priority". Proposals adopted include;

- require hospitals to staff according to professional standards as identified by the patient classification system
- provide guaranteed replacement of RN's absent from scheduled shifts
- establish binding "Nursing Assessment Committees" to settle concerns regarding patient safety and staffing documented by nurses
- guarantee no nurse work alone on any shift
- provide out-of-scope administrative person on call, and

• prevent nurses from being floated to unfamiliar wards
SUN members have spoken in a clear and unequivocal voice. Nursing issues such as those above must be addressed in negotiations 1986.

Printed in part, from Sunspots, the Newsbulletin of the Saskatchewan Union of Nurses.

Above the law?

The Ontario Supreme Court has refused an application by the Ontario College of Nurses to prohibit a board of inquiry under the Human Rights Code from proceeding with a formal inquiry into a complaint brought by a nurse, a black woman, against the College itself.

The nurse's employment was terminated because of an alleged refusal to report to duty. As required by statute, the Hospital notified the College. The College advised the nurse that a complaint under the provincial Health Disciplines Act had been received about her nursing practice. In dealing with the complaint the College's Complaint Committee ordered a medical examination. Counsel for the nurse objected on the basis that the dispute between the Hospital and the nurse centered on her refusal to submit to a psychiatric examination. The nurse asserted that the College had been enlisted by the Hospital in its campaign against her. Despite this argument when the nurse failed to appear for her examination her certificate of competence was suspended.

As a result of this action on the part of the College a complaint of discrimination was brought against both the College and Hospital. The College in response initiated an application to the Ontario Supreme Court to prohibit the Human Rights Inquiry from proceeding. The rationale advanced was that the College could not be found guilty of violating the Code when it was merely carrying out its statutory duty to inquire into complaints of nursing malpractice.

A majority of the Court rejected the application. In doing so, Judge Van Camp on behalf of the Court found that the College might be in contravention of the Human Rights Code while fulfilling its statutory duties. In the result, the prohibition application was refused and the Human Rights Inquiry was permitted to proceed.

NEWSBULLETIN

The UNA *Newsbulletin* is a bimonthly tabloid published by the United Nurses of Alberta on the advice of the Executive Board and its Editorial Committee.

Stories appearing in the *Newsbulletin* have been produced by the UNA staff or are reproduced from Labour News. Photos by Chris Rawson.

All letters to the editor should be addressed to Chris Rawson, Editor, UNA *Newsbulletin*, UNA Provincial Office, 10303 Jasper Avenue, Suite 760, Edmonton, Alberta T5J 3N6.

WOMEN

Manitoba implements Equal Pay Concept

On July 11, 1985 the Manitoba government introduced Canada's first equal pay for work of equal value legislation. The Manitoba Pay Equity Act states that its purpose is to establish the principle of pay equity in Manitoba and to inform employers, employees, and bargaining agents within the public and private sectors of the principles and practices of pay equity. The Act implements the concept within the Manitoba civil service, Crown corporations, universities and large health care facilities.

The Act requires affected employers to negotiate with bargaining agents or employee representatives regarding the development and application of a gender-free job evaluation system, and the orderly implementation of pay equity adjustments. In addition, it provides a timetable for negotiations and an arbitration procedure in the event that the parties are unable to agree on these matters. The Act also requires the establishment of a Pay Equity Bureau by the government which will be responsible for monitoring the implementation of pay equity, providing information, conducting studies and research, preparing educational information and developing education programs.

Two major aspects of the Act are that:

1. It does not permit employers to reduce an employee's wages or classification as a result of pay equity adjustments, and
2. It permits public sector employers to phase in pay equity adjustments over a four year period and limits employer liability for adjustments in any 12 month period to 1% of the previous year's total payroll.

Pay equity under the Act is defined as;

"a compensation practice which is based primarily on the relative value of the work performed, irrespective of the gender of employees and includes the requirement that no employer shall establish or maintain a difference between the wages paid to male and female employees, employed by that employer, who are performing work of equal or comparable value."

In determining value the Act proscribes that "the criterion to be applied is the composite of the skill, effort and responsibility normally required in the performance of the work and the conditions under which the work is performed."

Welcome back Darlene!

A HEARTY WELCOME BACK goes to Darlene Rathgeber, Director of Office Operations. Darlene, returned to work on November 4, 1985 following a 4 month maternity leave. Congratulations to her and husband

Randy on the birth of their son, Cody Robert Rathgeber on July 10th.

Thanks too, to Sylvie Gill, Secretary Word Processing, who took over the bulk of Darlene's responsibilities in her absence.



District Workshops '86

The schedule of UNA workshops available to the membership will soon be formalized. Look to the February/March issue of the "Newsbulletin" and notices from provincial office for the workshops to be held in your district.

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